

# MINUTES OF THE HENRY'S FORK TRIBUTARIES DISTRIBUTION SYSTEM

March 20, 2008

McKinnon Schoolhouse  
McKinnon, Wyoming

The meeting convened at 4:10 p.m. and was conducted by Lee Sim of the Utah State Engineer's Office. Mr. Sim introduced representatives of the State Engineer's Offices of both Utah and Wyoming. No minutes were available to be read from the 2007 annual meeting. Lee noted that the meeting would be recorded and available for the public on the Utah Division of Water Rights Website.

Lee Sim requested a report of the year's activities from Commissioner Todd Covolo. Todd read his report and began with a summary of the general conditions of the system throughout the past year. The *"year started out with excellent snow on the users' fields with individual reports up to two feet of snow."* The year looked *"promising for a good hay crop."* As the water year went by, Todd had to shut off *"ditch after ditch."* The system *"went into regulation for most of the summer and into the fall."* The system did not receive very much moisture during the growing season and fields yielded low hay production. Todd spoke about the regulation of each creek in the system and some of their ditches in greater detail.

Todd spoke about accomplishments he had made during the year as a commissioner. These included getting through another drought year on the system, learning the top to bottom regulation of the Henry's Fork Basin, getting data from Burnt Fork during the Island Lake delivery and interacting with water users on measuring devices, rolling rocks at diversions, head gates and water rights.

Todd discussed problem areas and recommendations. One problem the system has had concerns the control of water on Burnt Fork at the split. Todd said that this problem *"needs to be managed by the Water Commissioner and the owner of the property to ensure proper splitting of the water down each of the branches. As long as the owner and the Commissioner get along, the current way of regulating the creek is fine. Then there is no need for an expensive and high maintenance structure to keep the flow of water going down the right branch. Once again in 2007 the split of the creek was messed with this spring sending all the water down the west branch into the Perkins headgate. This problem will need ideas from all users and administrators to get this problem fixed."*

Todd mentioned that a *"measuring device at the point of diversion for Island Lake and for Thompson Creek reservoir supply is a must."* This needs to be fixed *"this next year before delivery of water rights."* Both Wyoming and Utah are working on this problem. The water *"users need to step up and put the measuring device on and fix their structural problems on their point of diversion."*

Todd stated that water users should stop the practice of *"running their headgates wide open way past their water right. This causes the creeks to go into regulation and unnecessary work. This practice needs to stop immediately even if this allows extra water to go down into the Flaming Gorge Reservoir."*

Todd reminded the water users that they *"need to have a locking headgate"* and to properly maintain

their measuring devices. He stated: "*communications on the creeks are good.*" Each ranch must "*maintain one spokesperson for a daily contact*" during regulation.

Todd concluded that the "*water year was a poor year for water run-off and a poor year for crop yields.*" He stated that he felt "*that all users had little water to work with and all users were treated fairly when regulation was called upon.*" He hoped that next year would have "*a much higher run-off from the high mountains in the Henry's Fork basin.*"

Todd concluded his report and asked for questions and comments. Questions were raised concerning points of diversion. A discussion ensued regarding points of diversion under both Wyoming and Utah water law. Invalid points of diversion will be shut off during regulation in Wyoming. Gino Foianini asked if every ditch or diversion on West Beaver Creek had a lockable headgate and measuring device. Todd answered that they did not. Those headgates and diversion that do not have a lockable headgate and measuring device will not get water during regulation. Wade Stephens asked about the rocks in Burnt Fork Creek and whether they could be moved. Both Lee Sim and Jade Henderson gave answers with respect to the Wyoming and Utah State Laws. Charlie Bergmeier initiated a discussion concerning Interstate Irrigation and Reservoir Company's early water rights and high water. A discussion was held regarding the snow pack, water outlook for the year and the soil moisture content. Todd mentioned that there was a problem with the Hole in the Rock Snotel site as it was incorrect in 2007. A motion was made by Jon Wilde to accept Todd's report. Wade Stephens seconded the motion. The motion passed.

Lee Sim made several comments regarding the State of Utah Water Right Enforcement Process and the Enforcement Engineer.

The financial reports for the 2007 season were the next items of discussion. Jade Henderson read the report from the State of Wyoming. Total expenditures for 2007 were \$18,405.49. Utah's portion was \$5,521.65. Utah's 2008 assessment will be \$5,521.65. There were no delinquent accounts on the Utah records. The vehicle charge will increase since the depreciation will be higher. Todd will probably get a new vehicle sometime after his vehicle reaches 100,000 miles. His vehicle has about 86,000 miles. Jack Hickey made the motion to accept the financial reports as read. Charlie Bergmeier seconded the motion. All approved.

Business items were discussed next. Jon Wilde initiated a discussion regarding a measurement device on Burnt Fork near the Interstate Canal. The Island Lake delivery was discussed. Design details of the measurement device were also discussed. Jade Henderson spoke about Wyoming telemetry funding that might include Island Lake.

With no further business the meeting adjourned at 5:32 pm.

Those attending the meeting were:

<u>Name</u>	<u>Representing</u>
Mark Anderson	Self (Karen Lewis)
Gino Foianini	Foianini Ranch

Jack Hickey	Self
Julie Iorg	Self/Ranch
Valree Muir	
Don Behunin	Self
Wade Stephens	Self
Jon C. Wilde	Self/Ranch.
Carol Gardiner	Self and Alonzo Jarvie
Charlie Bergmeier	Interstate Irrigation and Reservoir Company
Todd Covolo	Water Commissioner
Jade Henderson	Wyoming State Engineer's Office
John Yarbrough	Wyoming State Engineer's Office
Lee Sim	Utah State Engineer's Office
Robert Leake	Utah State Engineer's Office
Andrew Dutson	Utah State Engineer's Office